

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GUY McEACHIN,

Plaintiff,

-against-

9:03-CV-1442
(LEK/DRH)

DR. G. FARUKI, Psychiatrist,

Defendant.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation and Order filed on February 9, 2006, by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 29).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," Fed. R. Civ. P. 72(b), in compliance with L.R. 72.1. In the interval of at least fifteen days since the Magistrate Judge filed the subject Report-Recommendation, no objections to it have been raised.¹ Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain

¹ Indeed, Plaintiff even submitted a request for an extension of time, dated February 21, 2006, which this Court granted on February 28, 2006. See Dkt. No. 32. Although Plaintiff was given until March 13, 2006, to file any objections, no objections were filed with the Court.

error or manifest injustice.²

Accordingly, it is hereby

ORDERED, that the Report-Recommendation is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

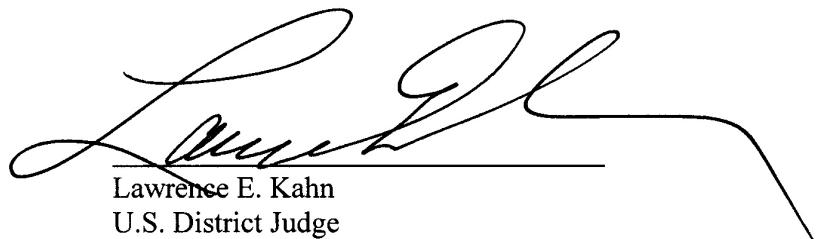
ORDERED, that Defendant's Motion for summary judgment (Dkt. No. 20) is **GRANTED**;

and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: March 20, 2006
Albany, New York



The image shows a handwritten signature in black ink, appearing to read "Lawrence E. Kahn". Below the signature, there is a horizontal line. Underneath this line, the name "Lawrence E. Kahn" is printed in a standard font, followed by "U.S. District Judge" in a smaller font.

² Three minor errors should be noted, however. First, the pin cite provided for Anderson v. Liberty Lobby, Inc., 477 U.S. 242 (1986), was incorrectly stated to be 250. Report-Rec. (Dkt. No. 29) at 4. The correct pin cite is at page 248. Second, the pin cite provided for Gallo v. Prudential Residential Servs., Ltd. P'ship, 22 F.3d 1219 (2d Cir. 1994), was incorrectly stated to be 1223. Report-Rec. (Dkt. No. 29) at 4. The correct pin cite is at pages 1223-1224. Lastly, the pin cite for Aiken v. Nixon, 236 F. Supp. 2d 211 (N.D.N.Y. 2002) (McAvoy, D.J.), was incorrectly stated to be 229. Report-Rec. (Dkt. No. 29) at 8. The correct pin cite is at pages 229-230.